

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 6th day of July, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:	Tommy Knight,	Mayor
	Vickie Abrego,	Mayor Pro Tempore
	Jay Attaway	Council Member
	Ross McElwee	Council Member
	Phillip Hyatt	Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT:	Reggie Winters,	City Manager
	Allen Lawrence,	City Attorney
	Yvonne Stonebraker	City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT:	Rick Kilgore	Fire Chief
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OTHERS PRESENT:	Donna Johnson/GrantWorks, Sandy Kubek, R.J. Thomas/CBCOG, Donald Brummett, Steve Wilson, Jim Covington, Capt. Tom E. Doran, Benny Shaw, Sonya Mize, Marilyn Rimer/Herald, Ellie Block, Jeanne Hunter, Randy Hunter, Collette Walls, Rosemary Vega/Chamber of Commerce, Kris Spears.
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There may have been others present who did not sign in.

1. **CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on July 6, 2010.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

3. **CONSIDER AND ACT ON APPROVING THE MINUTES OF JUNE 7, AND JUNE 21, 2010.**

Council Member Attaway made a motion to approve the minutes of June 7 and June 21, 2010. Council member McElwee seconded the motion and the motion carried unanimously.

4. **CONSIDER AND ACT ON RESOLUTION NO. 2010-637 – A RESOLUTION BY THE CITY OF ARANSAS PASS, TEXAS, AUTHORIZING THE AWARD OF CONTRACT ADMINISTRATION SERVICES AND SOFT COST PROJECT MANAGEMENT SERVICES FOR THE PROGRAM YEAR 2010, HOME OWNER OCCUPIED HOUSING ASSISTANCE PROGRAM.**

Project Manager, Donna Johnson, with GrantWorks stated the City of Aransas Pass was awarded a Home Program. She stated the first step after being awarded was to advertise for "Request for Proposals" (RFP) to hire an administrator.

City Manager Winters stated the City advertised for two (2) weeks in the Aransas Pass Progress for RFP's and had only received one from GrantWorks. He stated he would like to recommend awarding GrantWorks the administrative contract.

Mayor Knight asked Ms Johnson to explain the homeowner's qualifications.

Ms. Johnson stated the home program qualifications were: homeowner's income has to be sixty percent (60%) below median income for this area, has to own the home and be their primary residence (no vacant lots), proof of ownership, and must show taxes are paid. She also stated if five homes were not built, the City's match would be prorated.

Council Member Attaway made a motion to approve Resolution No. 2010-637 – A Resolution by the City of Aransas Pass, Texas, authorizing the award of contract administration services and soft cost project management services for the Program Year 2010, Home Owner Occupied Housing Assistance Program to GrantWorks.

5. **PRESENTATION ON THE CITY'S EMERGENCY MANAGEMENT PLAN BY MR. R.J. THOMAS WITH THE COASTAL BEND COUNCIL OF GOVERNMENTS.**

Mr. R.J Thomas with the Coastal Bend Council of Governments stated the City of Aransas Pass would like to stand on there own in Emergency Management and Mr. Steven Burnette is working with the Aransas Pass Police Department to accomplish this. He stated the City had to complete a Jurisdiction Preparedness Plan. Mr. Thomas stated there are three levels for the Jurisdiction Preparedness Profile and they are the basic, intermediate and advanced levels. He stated at the moment the City of Aransas Pass is working at the intermediate level.

6. **CONSIDER AND ACT ON ORDINANCE 2010-3976- AN ORDINANCE BY THE CITY OF ARANSAS PASS, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO JUAN GALVAN TO OPERATE A BAR AT 157 S. COMMERCIAL STREET, BEING LOTS 13, 14, 15 AND 16, BLOCK 548, ARANSAS PASS, TEXAS, SUBJECT TO CONDITIONS.**

Council Member Attaway made a motion to approve Ordinance No. 2010-3976 - An Ordinance by the City of Aransas Pass, Texas, granting a Conditional Use Permit to Juan Galvan to operate a bar at 157 S. Commercial Street, being Lots 13, 14, 15 and 16, Block 548, Aransas Pass, Texas, subject to conditions. Council Member Hyatt seconded the motion and the motion carried with Mayor Pro Tem Abrego voting no.

7. **PUBLIC HEARING ON THE REQUEST OF BENNY SHAW FOR A CONDITIONAL USE PERMIT TO OPERATE A TATTOO SHOP. THE PROPERTY IS DESCRIBED AS LOTS 17 AND 18, BLOCK 515, 0.241 ACRES, 104 W. WHEELER STREET. ARANSAS PASS, TEXAS,**

SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

City Attorney Allen Lawrence opened the Public Hearing at 7:13 P.M. on the request of Benny Shaw for a Conditional Use Permit to operate a tattoo shop. The property is described as Lots 17 & 18, Block 515, 0.241 acres, 104 W. Wheeler Street, Aransas Pass, Texas, San Patricio County. The property is zoned (GB) General Business District. He stated all proper notices had been given. He stated the Planning and Zoning Commission had met previously on the matter and recommended approval on the request. Mr. Lawrence asked Mr. Shaw to speak on this request.

Mr. Shaw stated tattooing had been a family business for over twenty (20) years and he wanted to re-open his fathers shop.

The City Attorney stated Mr. Shaw would have a two (2) year conditional use permit, non transferrable, and his hours of operation would be Monday thru Saturday 12:00 P.M. to 8:00 P.M., closed Sundays. He asked Mr. Shaw if he was satisfied with those conditions?

Mr. Shaw stated yes.

The City Attorney asked was there any questions from the Council? He asked was anyone present to speak in opposition of the request? Seeing none he closed the Public Hearing at 7:14 p.m.

8. CONSIDER AND ACT ON THE REQUEST OF BENNY SHAW FOR A CONDITIONAL USE PERMIT TO OPERATE A TATTOO SHOP. THE PROPERTY IS DESCRIBED AS LOTS 17 AND 18, BLOCK 515, 0.241 ACRES, 104 W. WHEELER STREET. ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Council Member Attaway made a motion to approve the request of Benny Shaw for a Conditional Use Permit to operate a tattoo shop. The property is described as Lots 17 and 18, Block 515, 0.241 Acres, 104 W. Wheeler Street. Aransas Pass, Texas, San Patricio County. The property is zoned (GB) General Business District. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

9. CONSIDER AND ACT ON APPOINTING 5 MEMBERS TO THE ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT BOARD.

Council Member McElwee made a motion to table Item No. 9. Council Member Attaway seconded the motion and the motion carried unanimously.

10. CITIZENS COMMENTS.

Mr. Sandy Kubek stated he had received a notice with his water bill informing citizens not to place items out on the curb of their property. He asked if that included brush?

Mayor Knight stated no, the notice meant everything but brush.

Mayor Pro Tem Abrego stated citizens needed to monitor and report illegal dumping.

11. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.

Recessed into Executive Session at 7:21 P.M.

A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS

B. SECTION 551.074 – PERSONNEL MATTERS – CITY CONSULTANT – RETIREMENT/RESIGNATION

12. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.

Reconvened into the Regular Meeting at 7:45 P.M.

A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS

No action taken.

B. SECTION 551.074 – PERSONNEL MATTERS – CITY CONSULTANT – RETIREMENT/RESIGNATION

Council Member Attaway made a motion to accept the City Consultant's, C.M. Sullinger's, retirement/resignation with an effective date of October 31, 2010 and the City shall provide, at its cost, health insurance for C.M. Sullinger and his wife (under the same plan as is provided for city employees). Council Member Hyatt seconded the motion and the motion carried unanimously.

15. ADJOURNMENT OF MEETING.

Council Member Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:48 P.M.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary